

110TH CONGRESS
2D SESSION

H. R. 6588

To preclude searches of laptop computers and similar devices based on the power as sovereign to search at the border or upon entry to the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2008

Ms. ZOE LOFGREN of California introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To preclude searches of laptop computers and similar devices based on the power as sovereign to search at the border or upon entry to the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electronic Device Pri-
5 vacy Act of 2008”.

6 **SEC. 2. BORDER SEARCHES OF LAPTOPS.**

7 (a) **GENERALLY PROHIBITED.**—No person acting
8 under the authority of the United States shall have any
9 authority, derived from the power of a sovereign to search

1 at borders or upon entry to the territory of that sovereign,
2 to require that any person entering the United States sub-
3 mit to a search of the electronic contents of that person's
4 laptop computer or similar device.

5 (b) THIS SECTION DOES NOT PROHIBIT SEARCHES
6 BASED ON OTHER LAWFUL AUTHORITY.—Subsection (a)
7 shall not be construed to in any way limit or affect any
8 search based on lawful authority other than the power of
9 a sovereign to search at borders or upon entry to the terri-
10 tory of that sovereign.

11 (c) DEFINITION.—As used in this Act, the term
12 “laptop computer or other similar device” means a com-
13 puter of the sort generally recognized as being a laptop
14 computer, and includes any other electronic device nor-
15 mally used for electronic mail or messaging, or storing
16 electronic data.

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